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Closed to the Public

***Public Utilities Commission of the State of California***

***Ratesetting Deliberative Meeting Agenda No. 39  
Tuesday, April 1, 2003, 1:30 p.m.  
San Francisco, California***

**Commissioners  
Michael R. Peevey, President  
Geoffrey F. Brown  
Susan P. Kennedy  
Loretta M. Lynch  
Carl W. Wood**

*This Ratesetting Deliberative Meeting will commence at the above date and time and may be continued from day to day up to the convening of the April 3, 2003, Business Meeting.*

*Website: <http://www.cpuc.ca.gov>*

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**Ratesetting Deliberative Meetings  
1:30 p.m.  
Room 5305  
505 Van Ness Avenue, San Francisco**

For further information contact the Public Advisor  
Phone: (415) 703-2074    E-mail: [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)

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## AGENDA

*(Item numbers correspond to the April 3 Business Meeting Agenda numbers.)*

**NOTE:**     **Ex Parte Communications are prohibited on Agenda Items 1722, 1800 and 1840 from the day of the Ratesetting Deliberative Meeting through the conclusion of the Business Meeting at which a vote on the Proposed Decisions is scheduled. (Rule 7(c)(4)).**

**1722**        **R02-01-011- Order Instituting Rulemaking Regarding the Implementation of the Suspension of Direct Access Pursuant to Assembly Bill 1X and Decision 01-09-060.**  
This decision adopts mechanisms to implement cost responsibility surcharges for customer generation departing load. The decision approves a Settlement Agreement subject to certain modifications.  
(Comr. Brown, Comr. Wood – ALJ Pulsifer)  
*Pub. Util. Code § 311(d) – This item was mailed for Public Comment.*  
*Pub. Util. Code § 1701.1 – This proceeding is categorized as Ratesetting (Agenda 3108, Item 1 2/27/03 (Peevey); Agenda 3109, Item H-9 3/13/03 (Lynch))*

**1800**        **R02-01-011 - ALTERNATE TO ITEM 1722.**  
This alternate order differs from the proposed decision in that it denies the Settlement Agreement proposed by parties. This decision finds that departing load should be assessed all the elements of the Direct Access Customer Surcharge Responsibilities as identified in D02-11-022 for direct access customers. However, this decision provides an exemption for customer generation eligible for net metering as well as ultra-clean and low-emission distributed generation as defined in Pub. Util. Code Section 353.2(a).  
(Comr. Lynch)  
*(Agenda 3108, Item 1a 2/27/03 (Peevey); Agenda 3109, Item H-9a 3/13/03 (Lynch))*

**1840**        **R02-01-011 - ALTERNATE TO ITEM 1722.**  
This alternate rejects the application of cost responsibility surcharges to customer generation departing load that meets certain eligibility criteria and falls within an annual cap. The alternate therefore also declines to adopt the multi-party Settlement Agreement.  
(Comr. Kennedy, Comr. Peevey)  
*(Agenda 3109, Item H-9b 3/13/03 (Lynch))*